

## NEW YORK HERALD

BROADWAY AND ANN STREET.

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## AMUSEMENTS THIS EVENING.

BOWERY THEATRE, Bowery.—GLENDORE—SUSAN  
BOWERY.BROADWAY THEATRE, Broadway.—OUR AMERICAN  
COURT at HOME—THE VICTIM.

FRENCH THEATRE.—LA BELLE HELENE.

OLYMPIC THEATRE, Broadway.—HUMPTY DUMPTY.

NIBLO'S GARDEN, Broadway.—THE WHITE PAWN.

WALLACK'S THEATRE, Broadway and 12th street.—  
OLIVER TWIST.NEW YORK STADT THEATRE, 45 and 47 Bowery.—  
MARTHA.NEW YORK CIRCUS, Fourteenth street.—GYMNASION,  
EQUESTRIANISM, &c.—Admission 25c.THEATRE COMIQUE, 814 Broadway.—BALLET, FARCE,  
&c.KELLY & LEON'S MINSTRELS, 72 Broadway.—SONGS,  
EXOTICISM, &c.—GRAND DUET "2c."SAN FRANCISCO MINSTRELS, 23 Broadway.—ETHIO-  
PIAN ENTERTAINMENTS, SINGING, DANCING, &c.TONY PASTORS OPERA HOUSE, 201 Bowery.—COMIC  
VOCALISM, NEGRO MINSTRELS, &c.DODWORTH HALL, 585 Broadway.—GEO. VANDER-  
BILT'S READING.MRS. F. B. CONWAY'S PARK THEATRE, Brooklyn.—  
DAVID COVERLEY—FOUR-STAR.HOOVER'S OPERA HOUSE, Brooklyn.—ETHIOPIAN  
MINSTRELS—BURLESQUE CIRCUS.NEW YORK MUSEUM OF ANATOMY, 613 Broadway.—  
SCIENCE AND ART.

## TRIPLE SHEET.

New York, Thursday, April 9, 1868.

## NOTICE TO ADVERTISERS.

Advertisers should bear in mind that, in order  
to insure the proper classification of their business  
announcements, all advertisements for insertion in  
the HERALD should be left at the counting room by  
half-past eight o'clock P. M.

## THE NEWS.

## CONGRESS.

In the Senate yesterday a bill for the continuance  
of the Freedmen's Bureau was reported. The bill in  
regard to the qualifications of jurors, which provides  
that the forming of an opinion in the case shall not  
make one incompetent to act as a juror under cer-  
tain conditions, was called up and passed by yeas  
37, nays 8. A proposed amendment to the constitu-  
tion was introduced providing that no one shall  
serve as President for two terms.In the House, which reassembled after a recess of  
three days, the Senate amendments to the Naval  
Appropriation bill were referred to the Committee on  
Appropriations. A resolution asking information  
relative to a mortgage held by the United States on  
the steamship Atlantic, which is advertised for sale,  
was adopted. Mr. Robinson, of New York, offered a  
resolution, as a privileged question, that the im-  
peachment proceedings be rescinded and the Managers  
recalled. It was decided not privileged and the  
House adjourned.

## THE LEGISLATURE.

In the Senate yesterday bills amending the law  
relative to Hell Gate pilots; for the widening of West  
street, New York; to abate certain nuisances in  
Brooklyn, and relative to commissioners for the  
building of a public market in New York were or-  
dered to a third reading. The bill to repeal the law  
relative to brokers was reported. The bill making  
an appropriation to the Whitehall and Flatbush  
Railroad, voted by the Governor, was discussed and  
finally laid on the table. A bill incorporating the  
Isthmus Canal Company was passed. The Central  
Underground Railroad bill was passed by a  
vote of 22 to 2. A preamble and resolutions relative  
to the charges of bribery and corruption made by  
a member of the Assembly and providing for an in-  
vestigation into the facts set forth in the charges  
was offered, but it was laid on the table for the  
present until the Erie Railroad Committee make a  
report.In the Assembly the bill repealing the act, exempt-  
ing the property of ministers from taxation was  
passed by a vote of 65 to 43. The Excise bill was  
made a special order for to-day at noon. The bill for  
a pneumatic tube under the East River was passed.  
A bill to provide for the better protection of the pub-  
lic health and for the completion of quarantine was  
reported.

## EUROPE.

The news report by the Atlantic cable is dated yes-  
terday evening, April 8.The bishops of Ireland will, it is said, petition the  
Queen of England in person, praying her not to sanc-  
tion any change in the Church in that country. Lord  
Cranborne, it is rumored, has been offered the Gov-  
ernorship of Canada. Earl Mayo will, it is  
said, be appointed Governor General of India. The  
peace of the South of Ireland is again violently dis-  
turbed. Dr. Livingston, the African explorer, has  
been heard from by letter, announcing his intention  
of returning to England soon.Our special correspondent in Frankfurt-on-the-  
Main, writing on the 29th of March, states it was  
reported in that city that the German-American  
nationalization treaty, lately concluded by Mr. Ban-  
croft, contains a clause which will render it in-  
compatible on the United States authorities to "hunt up" all  
emigrants designated as military "deserters" by the  
Prussian law and facilitate their extradition. The  
Americans in Frankfurt expressed the hope that Mr.  
Bancroft did not permit himself to sign a paper  
likely to initiate the most serious international dif-  
ficulties.

## MISCELLANEOUS.

Advices are received from Alaska to the 26th ult.  
The health of the garrisons was good. General  
Davis had been entertaining some Indian chiefs. A  
movement was in progress to establish seal fisheries,  
and it was reported that a new steamship line to  
San Francisco was soon to be opened.In the Virginia Convention yesterday the clause  
providing separate schools for the two races was  
defeated by a vote of 67 to 21. Sergeant Bates,  
who has walked from Vicksburg with the United  
States flag and without money, arrived in Richmond,  
and a motion was made to take him on the floor of  
the Convention; but it was objected to and defeated  
by a member, who said he did not wish to see the old  
flag under copperhead auspices.The facts in relation to Indian outrages on the  
plains, it is said, are unconnected by Indian agents or  
copperheads and others who are interested in theIndian trade. The truth of the matter is that the  
outrages are numerous and unprovoked, although  
only a few of them are reported.The Pennsylvania Legislature has been discussing  
Judge Black's Alta Vela guano case and has passed  
a resolution requesting the President to obtain from  
St. Domingo the restoration of the island which was  
forcibly seized from American citizens by that gov-  
ernment.The chief points of objection to the Broadway  
Arcade Railway plan will be found set forth in an  
article on this subject in another column.A man named Dent, employed as a night watch-  
man in the Parliament buildings at Ottawa, Canada,  
committed suicide yesterday morning by shooting  
himself.We publish to-day an elaborate and conclusive  
argument on the constitutionality of the income tax  
by W. O. Bartlett, Esq., of this city, who has been  
retained as counsel by a large number of gentlemen  
interested in the matter.The steamship China, for Liverpool, yesterday took  
out \$100,112 in specie.Isabella Carlton, a cyprine, with two aliases,  
committed suicide by strangulation yesterday morning  
in the Mercer street station house, where she had  
been locked up for drunkenness.An old man was arrested in Brooklyn on Tuesday  
for vagrancy, but while awaiting transportation to  
prison he died.The Erie case was brought prominently before the  
courts yesterday, five appeals from *ex parte* and  
Special Term orders being argued at General Term  
of the Supreme Court; and the Jay Gould contempt  
case being called up and proceeded on in the Com-  
mon Pleas Chambers and at Chambers of the  
Supreme Court.In the United States District Court yesterday,  
Judge Bedford, sitting in bankruptcy, called over  
the calendar and fixed the several cases for trial.In the United States Commissioner's Court yes-  
terday Sarah Byrne, charged with passing a counterfeit  
currency note, was held to bail by Commissioner  
Osborne to answer before the Grand Jury.In the Court of General Sessions yesterday James  
Leon was sentenced to the State Prison for ten years  
for robbery. John Crawley, for the same offence,  
was sentenced for three years and six months.Several other prisoners were sentenced for shorter  
terms, and Carl Noble, charged with embezzling,  
was remanded for sentence.The stock market was dull and heavy yesterday.  
Government securities were strong and active.  
Gold closed at 138 3/4.

## The Coming Presidential Contest—Admiral

Farragut the Ticket for a Conservative

Alliance.

The general result of the late Connecticut  
election shows that the republican party, in its  
mad career of radicalism, cannot hold its  
ground even under the victorious banner of  
General Grant, while from the recent vote of  
Michigan on the question we see that univer-  
sal negro suffrage, as in Ohio last fall, breaks  
down in the strongest Western radical States.  
In looking about us we see the same general  
symptoms of restlessness among the people  
and of a desire for a change in "the powers  
that be" that were visible towards the close of  
Van Buren's loose and disastrous administra-  
tion. The financial revulsion of 1857 and its  
calamitous consequences, and the reckless ex-  
travagance, frauds, embezzlements, deficien-  
cies and defalcations of the democratic spoils-  
men under Van Buren, swept him and them  
out of power in 1860 as by a popular whirl-  
wind. But what were the official corruptions  
and spoils of that day compared with the  
schedule of this reign of radicalism? Mere  
trifles. The contrast is appalling. It presents  
us the difference between scores of millions in  
expenses and debts and thousands of millions—  
the difference between an exemption from direct  
federal taxes and hundreds of millions in direct  
assessments, and the difference between hun-  
dreds of thousands lost to the revenue in frauds  
and embezzlements and many millions in whis-  
key frauds alone; and so it is no wonder that  
the people are beginning to cast about for a new  
departure.But all these differences in our debts, taxes and  
expenses, it is said, are chargeable to the late  
destructive and exhausting Southern rebellion.  
In a general sense they are, but when we come  
to details they are not. There is no excuse for  
the official wastefulness and squanderings nor  
for the plunderings and extortions from the  
people which they have now to endure. They  
are beginning to understand it and are pre-  
paring to act accordingly with the first fair  
opportunity. Above all, as we have seen from  
numerous experiments, East and West, last  
year and this year, the people of the North do  
not like this radical policy of Southern recon-  
struction, with its radical *sine qua non*, to be  
extended all over the Union, of universal negro  
suffrage. They do not want it and they will  
not have it. And yet the democratic party, the  
only existing organization which the opposition  
elements have the alternative to support, is a  
party so obviously mixed up with the rebellion  
that of itself it can do nothing, and the ap-  
pearance of a copperhead at the head of a demo-  
cratic column is enough to swamp it.Hence the difficulty among the democratic  
managers of finding a Presidential candidate  
to cope with General Grant; for all the acknowl-  
edged leaders and shining lights of the party  
are more or less tinged with copperheadism.  
In some the virus is strong and dangerous, in  
others it is diluted and innocuous; but even a  
dilution is repulsive to the great Union party of  
the war. But if the democratic party could  
only detach itself from copper-  
headism and identify itself with the  
Union party of the war it would at  
once rise to its feet, like a strong man released  
from a prostrating burden of chains and man-  
acles. Why not? The experiment tried in  
Connecticut is a great success, while copper-  
headism, given the reins in New Hampshire,  
has proved a signal failure. Some of the New  
Hampshire democrats from their late defeat are  
learning the secret of success. They have hit  
upon it in the proposition to abjure copperhead-  
ism and to cultivate the popular Union elements  
of the war. They have also hit upon the very  
man of all men for this purpose in proposing  
Admiral Farragut as their Presidential candi-  
date for the succession.He is the man, and perhaps the only man,  
who, as the opposition standard bearer, can  
neutralize the universal war popularity of  
General Grant and fairly divide the Union  
forces of the war with him. Admiral Farragut  
has in a high degree the qualities and  
qualifications of a popular candidate. He is  
an intelligent, modest, amiable, upright man.  
He is an exemplary man in all things, and is  
vigorous, robust and wholesome in body and  
mind. As our great naval hero of the war he  
looks up in the boldest relief. Nelson's battle  
of Trafalgar was a grand and glorious affair;  
but it becomes tame and commonplace com-  
pared with Farragut's battle below New  
Orleans, fighting his victorious way, with his  
wooden ships, against granite fortresses and  
supporting land batteries at short range on  
either bank, and through canal and boom.and iron-clad rebel rams and floating batteries,  
and ships and rafts of fire. But he went  
through, and that was the opening of the Mis-  
sissippi at the lower end, as Grant's first great  
fight at Fort Donelson was the opening at the  
upper end of the rebel confederacy. Nelson's  
battle of the Nile, where, at a venture, he ran  
his fighting ships between the French line and  
the shore, was a bold and brilliant feat; but it  
is totally eclipsed by Farragut, lashed in the  
shrouds of his good ship Hartford, while  
engaged in running the torpedoes with his  
wooden fleet and in reducing the forts and  
batteries and rebel iron-clad rams and works of  
Mobile Bay.These achievements have made Admiral Far-  
ragut king of the sea at every port and court  
where he has touched in Europe. The great  
Powers of that Continent seem to be impressed  
with the idea that with Farragut at the head of  
our navy we can defy the world upon the  
water, as with Grant at the head of our  
armies we can defy a European coalition on  
the land. Farragut, then, is the man for the  
opposition. His name and fame, we say,  
would enable them to divide the honors and  
glories of the war with Grant; and then the  
navy, the right arm of our national defence, is  
entitled to a President. Let the opposition  
forces, then, combine on Farragut and fight the  
fight against the radicals of a qualified negro  
suffrage against universal negro suffrage and  
Southern negro supremacy, and with Farragut,  
if elected, his native State of Tennessee and  
the country will be amply compensated for the  
loss of Andrew Johnson.

## The War of Races in the South.

Many months ago we warned the radicals  
that they were sowing a fearful harvest in the  
South. We told them that the measures they  
were adopting would inevitably result in a con-  
flict between the two races. Needless of the  
solemn lessons which history teaches, and  
utterly regardless of the laws of nature, our  
radical rulers forced their policy upon the  
South, and already we are beginning to see  
what the consequences will be. From all ap-  
pearances a war of races in that unhappy sec-  
tion of the Union is rapidly approaching. The  
first seeds of distrust were sown by the Freed-  
men's Bureau, which, although under the  
patronage of the general government, was  
most shamefully used by the radical party to  
poison the minds of the ignorant blacks against  
their former masters. At a later day, the  
Bureau not being as secret a concern as was  
desirable, Local League clubs were formed  
from the Potomac to the Rio Grande. These  
organizations were composed almost entirely of  
negroes; they became so powerful in numbers  
and political importance that eventually their  
members assumed to be the rulers and masters  
of the whites. So long as they were permitted  
to display their arrogance and assert their  
unwarranted power so long was the danger averted.  
But the logical result of two years of despotism  
lies now before us in the fact of a counter ac-  
tion on the part of the whites. From one end  
of the South to the other a new secret society,  
known as the "Ku Klux Klan," has been or-  
ganized in opposition to universal negro suf-  
frage and negro rule. The aims and purposes  
of the association are not concealed from the  
world. The Southern whites have declared  
that they will no longer tolerate a policy which  
sinks them into servitude and makes a semi-  
barbarous race their masters. Thus we now  
have two intensely hostile elements organized  
and organized, and facing each other—the  
Ku Klux Klan, or secret society of white men,  
on the one hand, and the Loyal League Asso-  
ciation, or secret society of negroes, on the  
other, each struggling for supremacy and  
each of a race alien in civilization and ideas to  
the other. How long will it be before such  
antagonistic elements pass the bounds of polit-  
ical warfare and engage in a contest of blood-  
shed and desolation?We are no alarmists, but we cannot ignore  
the fact that nothing can be done now to pre-  
vent a war of races. And to the action of the  
radicals must be ascribed this terrible prospect  
for the South. They and their emissaries have  
inflamed the minds of the negroes with ideas  
which cannot be obliterated except by the  
stern and bloody experiences of the battle  
field. They have goaded the Southern whites  
into desperation; forced them, as a means of  
preserving their race, to imitate the example  
of their black antagonists by organizing a pow-  
erful secret society, and they have planted the  
seeds of the most fearful conflict that this Con-  
tinent ever witnessed. Unfortunately, the  
races are nearly balanced, numbering, as they  
do, some six millions of whites to over four  
millions of blacks. A war between them will  
be much worse than any of the insurrec-  
tions in St. Domingo or Jamaica. In the  
South the whites are numerous; they possess  
superior intellectual powers and have won a  
world-wide reputation for valor. But they  
have to contend against a horde of semi-  
savages, backed up by the entire power of the  
radical party and half crazed by the pernicious  
teachings they have received. An army costing  
three hundred millions per annum will not suf-  
fice to keep the peace between the two races.  
The inflexibility of the whites and the dogged  
determination of the blacks never to submit  
to each other's rule appear to render in ad-  
vance any attempt at a reconciliation or resto-  
ration of kindly feeling utterly impotent.The situation in the South is a sad one;  
the future offers nothing better than inter-  
cine war. In the "black belts," as they are  
called, of the different Southern States, those  
whites who can get away are already leaving  
the homes of their nativity and seeking safety  
elsewhere. They are fortunate in being able  
to leave; for those who are compelled to  
remain will have to bear the brunt of the  
storm; and for this impending conflict—for  
this certain annihilation of one and possible  
destruction of both races—the radicals are  
alone responsible. They attempted to over-  
turn the laws of nature, to strike down the  
barriers which God has placed between the  
white man and the negro and to elevate the  
inferior race into the position of ruler of its  
superior. That this attempt must eventually  
fail we firmly believe; but before its impos-  
sibility of success has been demonstrated the  
wretched people of the South will have to con-  
front another and more terrible struggle,  
and another greater hecatomb of graves must  
be reared from the Potomac to the Rio Grande.  
Such will be the results of a radical policy of  
reconstruction; and we claim no remarkable  
eloquence, and through canal and boom.the effort to perpetuate their power, have  
"organized hell in the South." When the fruits  
of their measures have bloomed they must  
prepare to receive from the entire people that  
eternal infamy their own acts will have brought  
upon themselves, and to sink into oblivion  
amid the execrations of the thousands in the  
South whose kindred will have been murdered  
and whose homes will have been desolated  
through an insane attempt to compass an im-  
possibility.The Position of Jeff Davis—Damon Believes  
the Mind of Pythias.Jeff Davis, if we may believe the hints we  
hear, begins to feel that the obligations of his  
ball rest lightly upon him. He intends, it is  
said, not to return for trial if Wade goes to the  
White House, arguing that the removal of  
Johnson will be a violent revolutionary mea-  
sure, and that his responsibility to the govern-  
ment will be absolved when the government  
goes down and the revolutionary junta takes  
its place. So a man responsible to justice in  
France under Louis XVI. might fairly have  
argued that he was not responsible to Fouquier  
de Thiville and that pretended government of  
the Reign of Terror which sent to the guillotine  
every opponent it could lay hands on. Espe-  
cially might a man argue thus if beyond the  
reach of the authority he calls in question, as  
Davis now is. Future times, not feeling the  
passion of the hour and reviewing such a  
course, would say that a man acting thus  
rightly and rationally availed himself of his  
opportunities. He would not be blamed by  
any one, so far as his act regarded his obliga-  
tions to the law. But people would pause to  
see if the ties of the law were the only ones  
avoided, to inquire if there were not other  
obligations more sacred, because made in a  
quite different spirit. As thus—Did the man  
who so failed to appear leave any other man  
responsible for his appearance? Was there any  
Damon to die if Pythias did not come to time?  
It will be found the world over that if a man  
has proved indifferent to obligations of this  
sort he has violated laws of more universal  
force than any on the statute books. In the  
case before us we find that the Confederate  
Pythias has left a Damon in bonds. Damon,  
the radical, is bound for his friend, and it  
is said must suffer if the friend fails in the  
pledge of his honor. But apply enough, just  
at the critical moment when Davis, safe in  
Montreal, is turning this subject over in his  
heart of hearts, revolving it in all the lights  
of Confederate chivalry, Damon, the philoso-  
pher, comes to the rescue in a very queer  
letter. He publishes this letter ostensibly in  
answer to a Connecticut invitation, saying  
that he will not make speeches in Connecti-  
cut because the people of that State called  
him names and refused to buy his paper when  
he hailed Davis. But the real purport of the  
letter is to assure Davis that he is under no  
obligation of honor to the philosopher; that  
said philosopher did not hail Davis from those  
notions of humanity and good will, and all  
that, which he at first put forth as the  
reason, but that he did it purely and simply  
as a political dodge—in no other interest but  
the interest of the republican party, with no im-  
pulse at all, but on cool calculation. He  
argues that to have tried Davis and punished  
him would have been a calamity to the republi-  
can party; to have tried him and not punished  
him would have been a greater calamity; and  
he came in to redeem his party from that  
dilemma. The republicans had an elephant,  
and the philosopher subscribed to get rid of  
him. That, then, is the whole story, and Davis  
may feel that he is free. Being safe in Mon-  
treal, therefore, he may now see that he ought  
for all reasons to stay there.

## The Arcade Railroad.

The Legislature is exercising itself im-  
mensely on the subject of New York city rail-  
roads. All manner of schemes and plans to  
deface and ruin the city have been proposed.  
Here is the Caidwell plan of an underground  
line on the east side from Harlem to the lower  
end of town, which passed the Senate yesterday  
by a vote of twenty-two to two; and Vanden-  
burg's scheme for a Broadway tunnel road,  
which stands behind in the discussion; and then  
comes the most absurd and nefarious job of  
all—the "Arcade Railroad"—by which it is  
contemplated to take the very bowels out of  
the principal portion of the city, and subject to  
the chances of annihilation the whole of Broadway  
from end to end. The Senate Committee are  
now engaged in taking testimony upon this  
proposition, and of course the opinions are  
varied according to the interests represented  
by the witnesses and the hopes they have of  
getting a finger in the job; but there is one  
witness who has no interest in any of these  
schemes, and whose judgment and discretion  
the public have good reason to trust, and that  
is Mr. Craven, the engineer of the Croton Board.  
There is, probably, no man of more experience  
in such matters, and certainly none whose  
engineering skill can be more relied upon.  
What says Mr. Craven? That not a building  
on Broadway will be safe—not even Trinity  
church steeple—if the proposed plan of under-  
mining the street is carried out. He says further  
that it is wholly impossible to ventilate such a  
road as is proposed; in fact, his statement sug-  
gests the idea that passengers travelling upon  
it would be liable to suffer by asphyxia; and  
no doubt this view would be sustained by  
eminent medical men. Until we are prepared  
to see all the property on Broadway destroyed,  
and millions of money sunk in this wicked and  
impracticable scheme for the benefit of a few  
unscrupulous and unprincipled speculators,  
we cannot consent to so flagrant an undertak-  
ing as the proposed Arcade Railroad. If the  
bill should pass there will be a general evacua-  
tion of all the stores on the great commercial  
highway of the metropolis. Real estate  
owners have been already notified by their  
tenants that they will vacate the premises now  
occupied by them if the project is to be carried  
out.With such practical arguments against the  
plan we do not see how the Senate Committee  
can report in favor of it except their judgment  
is affected by the process suggested by old  
Mr. Glenn, in the House, of manipulating com-  
mittees—a charge which, of course, cannot be  
laid to the door of so august and honorable a  
body as the Senate. In the whole list of pro-  
posed railroads there is not one so monstrous  
as this. All the corruption of the lobby aims  
to be brought to bear upon it; and yet the aim  
of the corruptionists and speculators is prob-  
ably, after all devoted to ameliorating through aBroadway surface railroad bill, merely using  
the arcade monstrously as a cloak to cover  
their designs. All of these railroad bills  
are just so many ingenious swindles to get  
up fat jobs for hungry speculators, and the  
Bohemian press, which, of course, expects a  
share of the spoils as a *quid pro quo* for the  
advocacy of the schemes.

## Unconstitutional Legislation of Congress—

Mr. Bartlett's Argument on the Income  
Tax.We publish to-day, in another part of the  
paper, an able article from one of the ablest  
lawyers in the country, showing the uncon-  
stitutionality of the income tax. The writer  
first quotes the constitution, which provides  
that "representation and direct taxes shall be  
apportioned among the several States accord-  
ing to their respective numbers." He shows  
that this article was very carefully considered  
by the framers of the constitution, and then  
goes on to prove, by the highest legal authori-  
ties, that the income tax is a direct tax in the  
meaning of the constitution. Having estab-  
lished this point, he asks:—"Is the income  
tax so apportioned?" Here he has no diffi-  
culty of proof; for we all know that one Con-  
gressional district of New York pays a larger  
amount of this tax than some of the largest  
States or than the whole South. A hundred thou-  
sand people in New York city pay more than  
millions elsewhere; and, as the writer of the  
article referred to says, the State of New York  
pays eleven millions of dollars a year more  
than it ought to pay according to the constitu-  
tional rule of apportioning direct taxation to  
population. The income tax is most unjust,  
unequal, inquisitorial, corrupting to the com-  
munity, antagonistic to our republican system  
of government, and clearly unconstitutional.  
The people generally, and of this State par-  
ticularly, upon whom the tax weighs most  
heavily, should demand its repeal. We recom-  
mend our readers to look at the subject as  
presented in the able article we publish to-day.But, in fact, a great deal of the legislation of  
Congress and of the proceedings of government  
are outside of the constitution. The Recon-  
struction acts and all the proceedings under  
them, the Freedmen's Bureau, the tax on home  
grown cotton, the legislation of Congress with  
one-third of the States unrepresented, the  
establishment of military governments in time  
of peace, passing laws to anticipate and set aside  
the constitutional action of the Supreme Court,  
the suspension and denial of the writ of habeas  
corpus to citizens, the usurpation of the powers  
of the Executive by Congress, and the atrocious  
impeachment for the purpose of remov-  
ing the President for the most frivolous and  
unreasonable causes, are all clearly contrary to  
the letter or principles of the constitution. The  
war even, though necessary to save the Union,  
was questionable in a strict constitutional point  
of view, as was also the abolishment of slavery.The extreme resort to arbitrary power in  
these cases, however, does not justify the  
exercise of it in the other cases named. We  
might go further back to show that the  
country has been outgrowing the constitu-  
tion, as strictly interpreted, for nearly half a  
century, beginning with the Missouri Com-  
promise act and along up to the time of the great  
rebellion. But the late war has overturned  
everything and left us without a chart adapted  
to the change. The radical party, which has  
gained the ascendancy and is absolute, declared  
long ago that the constitution was "a league  
with hell." The leader of that party in Con-  
gress, Thad Stevens, boldly declares now that  
the national legislature is acting outside of the  
constitution. He and some few others have  
the frankness to avow this, and nearly all the  
radicals are conscious of it, though some pre-  
tend to quote and refer to the constitution.It is evident the old constitution can no  
longer be adapted to the country. The viola-  
tion of it, which leaves the republic without a  
chart to steer by, must have the effect of  
destroying respect for that instrument and of  
leading to anarchy and despotism. If it can  
be violated in certain cases it can be in  
others. If Congress can act outside of it  
and usurp powers not granted by it, may not  
a President or a general of the  
armies, when he has the power and oppor-  
tunity, do the same? There is no protection  
for the liberties and rights of the people, and  
no guarantee against Caesarism in our repub-  
lic under such a state of things. If a Con-  
gressional faction or oligarchy can govern uncon-  
stitutionally, why not a military dictator? The  
truth is we are in an abnormal and anarchical  
condition. The war, our vast extent of terri-  
tory, and our population of forty millions,  
with all the changes that have taken place,  
have made the old constitution, which suited  
the early age and condition of the republic  
admirably, no longer applicable. The only  
way, therefore, to secure our liberties, to  
relieve us from the present confusion, and to  
save us from a military dictatorship or the rule  
of an oligarchy, is to call a national constitu-  
tional convention of all the States to form  
a new constitution adapted to our changed  
condition, preserving at the same time what-  
ever is suitable in the old, so that we may  
have a safe and reliable chart for our future  
guidance. We cannot drift along safely as we  
are going, and the course specified would be  
the proper, and, perhaps, the only remedy for  
present evils and those in the future with which  
the republic is threatened.

## The Arkansas Constitution.

We have received from Little Rock an official  
copy of the new "constitution of the State  
of Arkansas as adopted by the Convention,  
February 11, 1868." It is a pamphlet of  
twenty-eight pages, including a short "Ad-  
dress of the Republican State Central Com-  
mittee." On the title page we find this pen-  
cilling—"See page 15—article on franchise;  
acknowledge your error and make the *amende  
honorable*." Turning to page 15 we find  
pasted thereon an editorial from the HERALD,  
which refers to this new Arkansas constitution  
as conferring the right of suffrage upon women,  
and below we find Article VIII. of said con-  
stitution on the franchise, which, upon a six  
months' residence and as an actual resident, con-  
fers the right of suffrage upon every male citi-  
zen of the United States, native or naturalized,  
or who has declared his intention to become  
a citizen, excepting certain United States  
soldiers and sailors and certain classes of dis-  
franchised ex-rebels, &c. It thus appears that  
the information which led us to rejoice over  
the adoption of female suffrage in the Arkansas  
constitution was in advance of the fact, andthat the women's rights women have, as yet,  
no State in the Union where they can boast of  
equal political rights with white men or black  
men. On the suffrage question, even in Arkan-  
sas, they are still on the status of "Indians  
not taxed."This Arkansas constitution, except in this  
exclusion of white women as well as black  
women from the franchise which is given to  
negro men on the universal principle, and  
excepting some other disfranchisements, is a  
pretty fair State charter. It seems, too, that  
it has been ratified by the people; that the  
radical Legislature elected under it is in full  
operation, and that within a fortnight, or less  
time, we may look for the appearance at  
Washington of the new Arkansas delegation  
to both houses of Congress, demanding admis-  
sion on the ground that they represent a  
Southern State duly and fully reconstructed  
according to the terms imposed by Congress.  
They may be admitted to assist in the impeach-  
ment. Who knows?

## HOLY WEEK.

The Tenebrae at St. Patrick's Cathedral.  
At half-past four o'clock yesterday afternoon some  
thirty priests, ranged at either side of the sanctuary  
at St. Patrick's cathedral, with his Grace Archbishop  
McCloskey on the Episcopal throne, commenced the  
Tenebrae, a ceremony most solemnly  
impressive. It consists of psalms and lessons, which  
in their words and by the tones in which they are  
recited are calculated to excite feelings of the  
utmost sorrow. At the commencement  
of the services there are six lighted tapers  
standing on the altar and fifteen others on a trian-  
gular framework standing at the left hand  
side of the sanctuary. The office of the Tenebrae, as  
given last night, is divided into three parts, the  
former of which is subdivided into nocturns.  
During the recital of the psalms in the matins and  
lauds four candles on the altar are extin-  
guished, and at the last six verses of the benedic-  
tus the candles on the altar are extinguished. This  
ceremony is to represent the idea that the Jews were  
deprived of the light of faith by putting the Saviour  
to death, and the fifteenth candle, which represents  
Christ himself, is then removed, but not extin-  
guished, to show that almost innumerable tapers  
the world as a man, yet as the Divine Being  
He was still alive. During the hiding of  
this light the candles on the altar kneel down  
and the *Pater Noster* the psalm *Miserere* and  
the prayer *Requies Quiescat* are recited; then a  
confused noise is made to represent the confusion  
which prevailed in the minds of the Jews at the  
former of which is subdivided into nocturns.  
During the